

Text of Mr. Arthur's
Summary of Dr. Ley's Testimony
Provided to the Government November 3, 2020

Summary of the anticipated testimony of Dr. David Ley:

Based upon his clinical experience and knowledge of mental-health and sexuality research literature, as well as his own writing, publishing, and artistic experience, Dr. David Ley was asked to determine if the materials as alleged by the Government to be obscene were lacking serious scientific, literary, or artistic value.

Dr. Ley reviewed the drawings and stories in the FBI satellite office in Alpine, Texas, on August 28, 2020, and further reviewed other stories on the Mr. Double website contained in an online archive. Dr. Ley further reviewed two additional stories that the agents indicated were written by Mr. Arthur.

Dr. Ley was not able to view the individual stories and drawings in context on the website along with any disclaimers, warnings, or other stories/contextual information that may have been present, and so his analysis is limited only to the stories themselves.

Each of the stories depicts fictional or at least fictionalized accounts of sexual conduct with children, but these are not automatically stripped of value. Several published works, going

back as far as the 17th century, also depict scenes of sadomasochistic sexual abuse and are not considered obscene.

Nor can the drawings be said to be without serious artistic value.

If called to the stand, Dr. Ley will testify in depth about the features of each of the charged stories and drawings, as well as two uncharged stories he was shown, and their relation to other works of art and literature, as well as scientific evidence regarding the potential effects or uses of such literature in therapy and treatment of sexual abuse survivors.

Works referenced by Dr. Ley in forming his opinion include:

Ahuja, N., Schmidt, M., Dillon, P.J. et al. Online Narratives of Methamphetamine Use and Risky Sexual Behavior: Can Shame-Free Guilt Aid in Recovery?. Arch Sex Behav (2020). <https://doi.org/10.1007/s10508-020-01777-w>

Beier, K. M., Grundmann, D., Kuhle, L. F., Scherner, G., Konrad, A., & Amelung, T. (2015). The German Dunkelfeld Project: A pilot study to prevent child sexual abuse and the use of child abusive images. Journal of Sex Medicine, 12, 529–542.

Bivona, J., & Critelli, J. (2009). The Nature of Women's Rape Fantasies: An Analysis of Prevalence, Frequency, and Contents. *Journal of Sex Research*, 46(1), 33–45. doi:10.1080/00224490802624406

Brodesco, A (2016) POV to the people: online discourses about gonzo pornography. *Porn Studies* 3(4): 362–372.

Cantor, J. M., Lafaille, S. J., Hannah, J., Kucyi, A., Soh, D. W., Girard, T. A., & Mikulis, D. J. (2016). Independent Component Analysis of Resting-State Functional Magnetic Resonance Imaging in Pedophiles. *The journal of sexual medicine*, 13(10), 1546–1554. <https://doi.org/10.1016/j.jsxm.2016.08.004>

Dahlquist, Joel Powell and Lee Garth Vigilant. 2004 "Way Better Than Real: Manga Sex to Tentacle Hentai" (pg. 91-103)." In Dennis Waskul's (Editor) *Net.SeXXX: Readings on Sex, Pornography, and the Internet*. Peter Lang Publishers.

Deehan ET, Bartels RM. Somnophilia: Examining Its Various Forms and Associated Constructs. *Sexual Abuse*. November 2019. doi:10.1177/1079063219889060

Dombert, B., Schmidt, A. F., Banse, R., Briken, P., Hoyer, J., Neutze, J., & Osterheider, M. (2016). How common is men's self-

reported sexual interest in prepubescent children? *Journal of Sex Research*, 53(2), 214–223.

Elliott IA, Beech AR, Mandeville-Norden R. The Psychological Profiles of Internet, Contact, and Mixed Internet/Contact Sex Offenders. *Sexual Abuse*. 2013;25(1):3-20. doi:10.1177/1079063212439426

Fedoroff, J. P., Smolewska, K., Selhi, Z., Ng, E., & Bradford, J. M. W. (2001). Victimless Pedophiles. Paper presented at the Annual Meeting of the International Academy of Sex Research (IASR), July 11–14. Montreal, Quebec, Canada.

First M. B. (2011). The inclusion of child pornography in the DSM-5 diagnostic criteria for pedophilia: conceptual and practical problems. *The journal of the American Academy of Psychiatry and the Law*, 39(2), 250–254.

Friday, N. (2013). *My Secret Garden*. Rosetta Books, New York. Downloaded via Kindle, downloaded July 21, 2020.

Hardin KN, Gold SR. Relationship of Sex, Sex Guilt, and Experience to Written Sexual Fantasies. *Imagination, Cognition and Personality*. 1988;8(2):155-163. doi:10.2190/YQQJ 7A8U-23LE-59KJ

Haslanger, A. (2011). What Happens When Pornography Ends in Marriage: The Uniformity of Pleasure in Fanny Hill. *ELH*, 78(1), 163–188. doi:10.1353/elh.2011.0002

Henshaw, M., Ogloff, J., & Clough, J. A. (2017). Looking Beyond the Screen: A Critical Review of the Literature on the Online Child Pornography Offender. *Sexual abuse : a journal of research and treatment*, 29(5), 416–445. <https://doi.org/10.1177/1079063215603690>

Hunt Celia (2010) Therapeutic Effects of Writing Fictional Autobiography, *Life Writing*, 7:3, 231-244, DOI: 10.1080/14484528.2010.514142

Ji, Q., & Raney, A. (2016). Examining Suspension of Disbelief, Perceived Realism, and Involvement in the Enjoyment of Documentary-Style Fictional Films. *Projections: The Journal for Movies and Mind* 10 (2). doi: 10:3167/proj.2016.100207

Johnsdotter, S. “The Flow of Her Cum”: On a Recent Semantic Shift in an Erotic Word. *Sexuality & Culture* 15, 179–194 (2011). <https://doi.org/10.1007/s12119-011-9089-y>

Kahr, B. (2008). *Who's Been Sleeping in Your Head: The Secret World of Sexual Fantasies*. Basic Books. NY.

Klein C. A. (2014). Digital and divergent: sexual behaviors on the Internet. *The journal of the American Academy of Psychiatry and the Law*, 42(4), 495–503.

Lehmiller, Justin. (2018). *Tell Me What You Want: The Science of Sexual Desire and How It Can Help You Improve Your Sex Life*. Da Capo Lifelong Books, New York.

Lischinsky Alon (2017): Doing the naughty or having it done to you? Agent roles in erotic writing, *Porn Studies*, DOI: 10.1080/23268743.2017.1301215

Maratea R. J. (2011) Screwing the Pooch: Legitimizing Accounts in a Zoophilia On-line Community, *Deviant Behavior*, 32:10, 918-943, DOI: 10.1080/01639625.2010.538356

Martin Seehuus, Ariel B. Handy & Amelia M. Stanton (2020): Change in the Popularity of Transgressive Content in Written Erotica between 2000 and 2016, *The Journal of Sex Research*, DOI: 10.1080/00224499.2020.1716206

Massau, C., Kärger, C., Weiß, S., Walter, M., Ponseti, J., He Krueger, T., Walter, H., & Schiffer, B. (2017). Neural correlates of moral judgment in pedophilia. *Social cognitive and affective*

neuroscience, 12(9), 1490–1499.

<https://doi.org/10.1093/scan/nsx077>

Miller K. L. (2013). Purposing and repurposing harms: the victim impact statement and sexual assault. Qualitative health research, 23(11), 1445–1458.

<https://doi.org/10.1177/1049732313507753>

Obaid F. P. (2016). THE DEAD-LIVING-MOTHER: MARIE BONAPARTE'S INTERPRETATION OF EDGAR ALLAN POE'S SHORT STORIES. American journal of psychoanalysis, 76(2), 183–203. <https://doi.org/10.1057/ajp.2016.10>

Salmon Catherine & Don Symons (2004): Slash fiction and human mating psychology, Journal of Sex Research, 41:1, 94-100

Salter M. Grace's Story: Prolonged Incestuous Abuse From Childhood Into Adulthood. Violence Against Women. 2013;19(2):146-165. doi:10.1177/1077801213476459

Seto, M. (2012). Pedophilia and Sexual Offending Against Children: Theory, Assessment, and Intervention, Second Edition. American Psychological Association. Washington, DC.

Seto, M. (2017). Internet Sex Offenders, Second Edition. American Psychological Association. Washington, DC.

Seto, M. C., & Ahmed, A. G. (2014). Treatment and management of child pornography use. The Psychiatric clinics of North America, 37(2), 207–214.
<https://doi.org/10.1016/j.psc.2014.03.004>

Seto, M. C., & Eke, A. W. (2017, April 6). Correlates of Admitted Sexual Interest in Children Among Individuals Convicted of Child Pornography Offenses. Law and Human Behavior. Advance online publication.
<http://dx.doi.org/10.1037/lhb0000240>

Strassberg, D. S., & Lockerd, L. K. (1998). Force in women's sexual fantasies. Archives of sexual behavior, 27(4), 403–414.
<https://doi.org/10.1023/a:1018740210472>

Temporini H. (2012). Child pornography and the internet. The Psychiatric clinics of North America, 35(4), 821–835.
<https://doi.org/10.1016/j.psc.2012.08.004>

van Es Laure, Virtual Child Pornography as Potential Remedy Against Child Sexual Abuse, MaRBle Research Papers Vol. 6, 167

Wiehe VR. Approaching child abuse treatment from the perspective of empathy. *Child Abuse Negl.* 1997;21(12):1191-1204. doi:10.1016/s0145-2134(97)00094-x

Woodworth, M., Freimuth, T., Hutton, E. L., Carpenter, T., Agar, A. D., & Logan, M. (2013). High-risk sexual offenders: an examination of sexual fantasy, sexual paraphilia, psychopathy, and offence characteristics. *International journal of law and psychiatry*, 36(2), 144–156.

Zsila, Pagliassotti D, Urban R, Orosz G, Kiraly O, Demetrovics Z (2018) Loving the love of boys: Motives for consuming yaoi media. *PLoS ONE* 13(6): e0198895. <https://doi.org/10.1371/journal.pone.0198895>

Dr. Ley's curriculum vitae is attached.

MB